



Sand & Soapweed

Newsletter of the *Middle Niobrara Natural Resources District*
“Protecting Lives, Protecting Property, Protecting the Future”

JULY 2011

New Faces at Middle Niobrara NRD

The Middle Niobrara NRD District would like to welcome Justin Hammond and Leonard Danielski as the newest members of our board of directors. Justin has been appointed to fill the vacancy in Sub-District #2 due to the expiring term of former director William Mulligan and Leonard will fill the vacancy in Sub-District #3 due to the resignation of Jack Ravenscroft. Mike Murphy, Middle Niobrara NRD manager, said “Leonard and Justin will be a great additions to the board; they have a wealth of business experience and a working agricultural background”.

Travis Connot has hired on with Middle Niobrara NRD as a Resource Technician. He was born and raised in Nebraska and most recently lived in Sidney, NE. Travis graduated from Chadron State College with a Bachelors of Science Degree in Biology and also has graduated from the World Wide College of Auctioneering as an Auctioneer. He brings tree planting experience and a can do attitude to the job. Travis recently got married to Joanna (Smurthwaite) Connot and they have purchased a house in Valentine. Travis loves spending his free time doing something outdoors; shed-hunting, 4-wheeling, skiing, hunting, and much more. Travis is a welcome addition to the staff.

2011 TREE PLANTING COMPLETE

Once again we had a great planting season here in the Middle Niobrara NRD. The late snow and some wet weather caused a few delays but for the most part things went well.

The Middle Niobrara Natural Resource District received most of our tree inventory on a final shipment on 4-18-2011 and we completed our plantings on 6-2-2011. We ordered a total of 35,300 trees and shrubs.

There were a total of 27 landowners with machine plantings in 43 different locations. In those machine plantings, 13,728 trees and shrubs were planted. With this a total of 21.2 miles of plastic mulch was installed. Not all machine plants had the plastic mulch, some were scalped in and some were simply planted without scalping or mulch.

We had 104 hand plant orders from customers this year. These are orders that the customers place for trees and shrubs and pick up at our office and hand plant themselves. The total number of hand plant tree and shrub orders was 19,577. This year went very well and we are looking forward to another good year in 2011, so come in or call and let's get next year's machine and hand plant orders started.

Tree Health Check

Have you looked at your trees lately? Now is a good time to check on newly planted trees for disease and other signs of stress caused by poor root development. Trees will go through a period of shock which can last up to 5 years after planting, known as transplant shock. During this time newly planted trees are using the majority of their energy developing a root system. Water stress is the single most prevalent cause of death and will slow growth in newly planted trees. This season has been an exception to normal drought conditions experienced in the Sandhills during July and August. Trees can be especially over watered during peak summer months removing oxygen from the soil. A good rule of thumb when watering trees is to apply 4-5 gallons of water once or twice a week however during periods of extreme dry, windy weather watering needs may be increased. A longer deeper watering helps establish a deeper root system. Another easy guideline to follow is that trees need an inch of water every 10 days. Landowners need to consider where the nearest water source is before

determining a method of supplementing moisture to newly developing trees. Drip systems are the most common and economical way to deliver water to plantings. A drip irrigation system utilizes specially designed pressure compensating emitters releasing 1 gallon of water per hour and can be designed to reduce labor in the watering process for the landowner. The Middle Niobrara NRD has drip irrigation supplies available and can assist with design of a system to deliver water to your trees.

It's never too early to review your tree planting needs. Several plantings have been designed for installation in the spring of 2012. If you are considering planting trees next spring contact the office at (402) 376-3241 to schedule a site visit with Shane Hamilton.

NEBRASKA SOIL & WATER CONSERVATION PROGRAM

Sign-up is complete for the 2011-2012 program period and we will be contacting those of you who have applied for cost-share in the next few weeks to review your projects. Shane Hamilton, the Natural Resources Coordinator, will visit with you and develop Conservation Tree plans for your proposed project. These plans will then be reviewed and ranked. The projects with the highest ranking will be assigned priority for funding. The Board of Directors will then review the projects and rankings before any cost-share funding will be approved. You will be notified in late August or early September as to whether or not your project has been approved for cost-share funding. If you have questions, please contact the office.

FULLY APPROPRIATED WATER RIGHTS STATUS CHANGES ON THE NIOBRARA RIVER

The Nebraska Supreme Court overturned the state Department of Natural Resources ruling in a decision that reversed the department's designation of part of the Lower Niobrara River Basin as fully appropriated.

The previous "fully appropriated" designation meant that no new high capacity water uses could be developed in the basin unless it was somehow replaced — by retirement of a previously active water right, for instance. The designation meant farmers could not expand irrigation to new acres.

The high court ruled that the DNR couldn't call the Lower Niobrara River Basin fully designated because some of the facts on which the decision rests are still being challenged in court. The Lower Niobrara basin covers much of northern

Nebraska; the disputed stretch is above the Spencer hydropower plant west to Mirage Flats.

This ruling will allow NRD's along the Niobrara River to expand irrigated acres within their districts. The NRD's will have 120 days to develop rules under which new irrigated acres will be approved. The Middle Niobrara NRD is currently working on this and when the rules are in place we will notify our constituents of the approved process by which they can apply for new irrigated acres.

Mike Murphy, Middle Niobrara NRD manager, said, "We have been waiting a long time for this decision from the Supreme Court and look forward to working with anyone interested in expanding their operations".

ATTORNEY GENERAL RULES ON AG EXEMPTION FOR DIGGERS HOTLINE

In a statement released in late March, Nebraska Attorney General Jon Bruning confirmed that farmers, their employees and third-party contractors do not need to call Diggers Hotline before conducting routine soil sampling in their fields.

Nebraska's One Call Act is intended to prevent accidents involving buried utility lines. Agricultural soil sampling has a long-standing exemption to the law, but the extent of that protection was called into question when State Senator Galen Hadley of Kearney introduced LB484 in the 2011 legislative session.

When the Attorney General's office was asked for an informal opinion on the matter in January, Bruning indicated he wasn't sure the agricultural exemption applied to third-party contractors hired by farmers. However, his March statement clarified that his office does consider third-party contractors to fall under the exemption to the One Call Act. Therefore, farmers and their employees and contractors can continue to perform routine soil sampling to depths of 30 inches without calling Diggers Hotline. *"To be clear – farmers, their employees and any third-parties they contract with to do routine soil sampling for agricultural purposes do not need to call the Diggers Hotline prior to taking a soil sample," said Bruning. "This is an agricultural state and soil sampling is business as usual. I won't second guess the common sense of Nebraska farmers."*

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